

Remarks

Entry of the present amendment is respectfully requested. By the present amendment claims 1-5, 7-8, 10-12, 18-19 and 22-23 have been cancelled. Claim 15 has been amended.

Preliminary matters

The Applicants wish to thank the Examiner for the courtesies extended during the Telephone Interview of March 20, 2008.

Claim Rejections under 35 U.S.C. §112

The Examiner rejected claims 1 and 22 under 35 U.S.C. §112, second paragraph, as being indefinite. Claims 1 and 22 have been cancelled and thus the rejection is moot.

Claim Rejections under 35 U.S.C. §102

The Examiner rejected claims 12, 15 and 20-23 under 35 U.S.C. §102(e) as being fully anticipated by U.S. Patent Appln. No. 2005/0004637 to Singhal, et al. (hereafter "Singhal"). Claims 12 and 22-23 have been cancelled and thus the rejection of claims 12 and 22-23 under Singhal is moot. It is respectfully submitted that as amended claim 15 patentably defines over Singhal and is therefore allowable.

The Office Action of September 27, 2006 indicated that claim 18 would be allowable if rewritten 1) to overcome an indefiniteness rejection under 35 U.S.C. §112, second paragraph, for depending from a cancelled claim; and 2) to include all of the limitations of the base claim and any intervening claims (Office Action pages 2 and 4). Claim 15, from which claim 18 depends, has been

amended to includes all the limitations of claim 18. Claim 18 has been cancelled. Accordingly, claim 18 does not depend from a cancelled claim and thus the above conditions relating to the allowability of the subject matter of claim 18 have been satisfied. Therefore, it is respectfully submitted that amended claim 15 is allowable.

During the aforementioned Interview, the Examiner acknowledged that the current Office Action of February 21, 2008 does not indicate that claim 18 contains allowable subject matter. In fact, claim 18 is not addressed at all in the Office Action of February 21, 2008. In view of this contradiction with the Office Action of September 27, 2006, the patentability of amended claim 15 is addressed regardless of whether the subject matter of claim 18 is allowable or not.

Amended claim 15 recites that the groove includes a plurality of concentric grooves extending circumferentially around the outside surface of the burr hole ring. At least one generally radial groove in the outside surface communicates with the plurality of concentric grooves. The radial groove extends to an outlet at a periphery of the outside surface of the burr hole ring.

Singhal does not teach this groove construction. Rather, Singhal teaches a burr cap 140 including a ring member 142 having a ring-shaped groove 146 for receiving a lead 148 (paragraphs 0063-0064 and Fig. 8). The lead 148 is fed from inside the patient into an opening in the center of the ring member 142, through a notch, and into the groove 146. The lead 148 exits the groove 146, and thus the ring member 142, via an exit 150 (Fig. 8).

From the above it is clear that the ring member 142 does not comprise a plurality of concentric grooves and at least one radial groove which communicates

which the concentric grooves, as recited in amended claim 15. The Examiner asserts that the central "notch" and the exit 150 are grooves. Even under the Examiner's interpretation, however, the asserted "grooves" are not concentric with respect to one another. Since Singhal does not teach or suggest the groove construction of amended claim 15, it is respectfully submitted that as amended, claim 15 patentably defines over Singhal and is therefore allowable.

Claims 20-21 depend from claim 15 and are allowable for at least the same reasons as claim 15 and for the specific limitations recited therein.

Claim Rejections under 35 U.S.C. §103

The Examiner rejected claims 1-5, 7-8 and 10-11 under 35 U.S.C. §103(a) as being unpatentable over Singhal. Claims 1-5, 7-8 and 10-11 have been cancelled and thus the rejection is moot.

The Examiner rejected claims 1-5, 7-8, and 10-11 under 35 U.S.C. §103(a) as being unpatentable over PCT International Appln. No. PCT/GB03/00539 to Mogg. Claims 1-5, 7-8 and 10-11 have been cancelled and thus the rejection is moot.

The present response does not raise any new issues and does not require any further searching on the part of the Examiner. The present amendment places the application in condition for allowance and is believed to be clearly appropriate.

In view of the foregoing, it is submitted that the application is in condition for allowance and allowance is respectfully requested.

Please charge any deficiency or credit any overpayment in the fees for this
amendment to our Deposit Account No. 20-0090.

Respectfully submitted,

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